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May 8, 2008

VIA ECF & FEDERAL EXPRESS

Honorable Lewis A. Kaplan
United States District Court
United States Courthouse
500 Pearl Street
New York, New York 10007-1312

Re: Cindy Hogan-Cross v. Metropolitan Life Insurance Company et. al.
U.S. D. Ct., S.D.N.Y. 08 Civ. 0012 (LAK)

Dear Judge Kaplan:

We are the attorneys for the Plaintiff, Cindy Hogan-Cross.

We write this letter to articulate our objection to Defendant, Met Life's further request for an extension to file its reply to the pending Motion to Change Venue.

First, Defendant's Motion to Change Venue was filed solely by Met Life and not Defendant IBM. Defendant has failed to articulate any reason why it is warranted to review Plaintiff's possible Amended Complaint in advance of its Reply.

Second, if Plaintiff does file an Amended Complaint, Defendant would still be obligated to file a further motion if it felt the allegations did not comply with the direction outlined in Your Honor's April 28, 2008 Order.

Finally, Defendant has been aware of its obligation to file its Reply papers on or before May 9, 2008 when they consented to our request to file an Amended Complaint against IBM to and including May 12, 2008.

Respectfully Submitted,

FRANKEL & NEWFIELD, P.C.

By: 

Justin C. Frankel (JF5983)

JCF:jpm
Enclosures

cc: Allan Marcus via federal Express